

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)	
)	
EAGLE PROPERTIES AND)	Bankruptcy Case
INVESTMENTS, LLC,)	No. 23-10566-KHK
)	Chapter 7
Debtor.)	

**ORDER APPROVING SALE OF 2565 (F) AND 2567 (E) CHAIN BRIDGE ROAD,
VIENNA, VA FREE AND CLEAR OF LIENS, CLAIMS AND INTERESTS
PURSUANT TO 11 U.S.C. § 363(f)**

UPON CONSIDERATION of the motion (Docket No. 492) (“Motion”) of H. Jason Gold, chapter 7 trustee (“Trustee”), to approve the sale of the property commonly known as 2565 (F) (the “2565 (F) Property”) and 2567 (E) Chain Bridge Road, Vienna, VA (the “2567 (E) Property” and together, with the 2565 (F) Property, the “Property”); and the Trustee having filed a Supplement to the Motion on June 17, 2024 (Docket No. 503); and it appearing that proper and adequate notice of the Motion has been given and that no further notice is necessary; and it appearing that the sale of the Property as set forth in the Motion is in the best interest of the estate and its creditors, and it further appearing that based upon the endorsements of counsel set forth below that LINKBANK and Bala Jain; LLC have consented to the sale of the Property as set forth herein, and that the Property may be sold free and clear of the lien of the First Deed of Trust held by LinkBank dated August 25, 2020, and recorded on August 26, 2020, in Deed Book 26452 at Page 0080; along with the Assignment of Leases and Rents recorded in Deed Book 26452 at Page 0088, provided that LinkBank receives the net proceeds from each sale after payment in full of

Dylan G. Trache, Va. Bar No. 45939
NELSON MULLINS RILEY & SCARBOROUGH LLP
101 Constitution Avenue, Suite 900
Washington, DC 20001
(202) 689-2800
Counsel to the Chapter 7 Trustee

all past due condo fees, past due real estate taxes, commissions, closing costs, reimbursements, prorations, \$1,000 seller credit, Bankruptcy Estate Payment and the 326(a) Trustee Commissions; and that the property may be sold free and clear of the lien of the Second Deed of Trust held by Bala Jain, LLC in the amount of \$500,000.00, dated November 30, 2020, and recorded on February 16, 2021, in Book 26891 at Page 0515, accordingly:

IT IS HEREBY ORDERED THAT:

1. The Motion as supplemented is GRANTED.
2. The Trustee is authorized to sell the 2565 (F) Property to BEKK Holdings LLC and the 2567 (E) Property to Pure Wellness Lifestyle LLC¹ (the “Purchaser”) for the aggregate sale price of \$830,000.00 consistent with the sales contract attached to the Motion as Exhibit A free and clear of all liens, claims encumbrances and interests, including those of LINKBANK and Bala Jain, LLC.
3. The Trustee is authorized to pay the secured claim of LINKBANK as set forth in

¹ The Property has the following legal description:

Condominium Unit 2-E of the Vienna Oaks Office Condominium, as the same is more particularly described in the Declaration recorded in Deed Book 5724 at Page 790 and any amendments thereto recorded among the Land Records of Fairfax County, Virginia.

TOGETHER WITH a 9.420 percentage interest in the common elements and subject to the terms and conditions of the Declaration, Exhibits Plats and Plans and By-Laws recorded in Deed Book 5724 at Page 790.

The improvements thereon being known as 2567 Chain Bridge Road, Suite 2-E, Fairfax, VA 22030

AND

Condominium Unit 2-F of the Vienna Oaks Office Condominium, as the same is more particularly described in the Declaration recorded in Deed Book 5724 at Page 790 and any amendments thereto recorded among the Land Records of Fairfax County, Virginia.

TOGETHER WITH a 9.420 percentage interest in the common elements and subject to the terms and conditions of the Declaration, Exhibits Plats and Plans and By-Laws recorded in Deed Book 5724 at Page 790.

The improvements thereon being known as 2567 Chain Bridge Road, Suite 2-F, Fairfax, VA 22030

the draft ALTAs attached collectively hereto as Exhibit A (“ALTA”).

4. Closing on the Property shall be conducted contemporaneously.

5. At closing on the Property, the Trustee shall receive, for the benefit of the estate the total sum of \$24,900.00 representing his commission under Section 326 of the Bankruptcy Code plus \$41,500.00 as additional consideration for the bankruptcy estate free and clear of all liens, claims and interests.

6. The Trustee is authorized to pay a three percent (3%) commission to his broker Century 21 Commercial New Millennium at closing for services rendered in representing the Trustee in connection with the sale.

7. The Trustee is authorized to pay a two-and-a-half percent (2.5%) commission to Verity Commercial, LLC at closing for services rendered in representing the Purchaser in connection with the sale.

8. The Trustee is authorized to pay all outstanding real estate taxes and other customary closing costs consistent with the ALTA.

9. The Trustee is authorized to reimburse Auction Markets, LLC at closing in an amount not to exceed \$1,000.00 for any property preservation expenses, as needed, including utilities, insurance, maintenance, repairs and trash removal.

10. This Order may be recorded in the land records wherein the subject Property is located.

11. This Court retains jurisdiction with respect to any disputes regarding the Property following the sale.

12. This Order shall be effective immediately and shall not be subject to the stay provided in Federal Rule of Bankruptcy Procedure 6004(h) or any other applicable stay.

Dated: Jul 15 2024

/s/ Klinette H Kindred
United States Bankruptcy Judge

PREPARED BY:

Entered On Docket: Jul 15 2024

NELSON MULLINS RILEY & SCARBOROUGH LLP
101 Constitution Avenue, NW, Suite 900
Washington, DC 20001
Tel: (202) 689-2800
Fax: (202) 689-2860
Email: dylan.trache@nelsonmullins.com

By: /s/ Dylan G. Trache
Dylan G. Trache, Va. Bar No. 45939

Counsel to the Chapter 7 Trustee

SEEN AND AGREED:

BLANKINGSHIP & KEITH, P.C.
4020 University Drive, Suite 300
Fairfax, Virginia 22030
Tel: (703) 691-1235
Fax: (703) 691-3913

By: /s/James R. Meizanis, Jr. (by DGT with authority)
Jeremy B. Root, (VA Bar No. 65885)
James R. Meizanis, Jr. (VA Bar 80692)

Counsel to LINKBANK

SEEN:

ROGAN MILLER ZIMMERMAN, PLLC
50 Catoctin Circle, NE, Suite 300
Leesburg, Virginia 20176
Phone No. (703) 777-8850
Fax No: (703) 777-8854
E-mail: crogan@RMZLawFirm.com

BY: /s/Christopher L. Rogan (by DGT with authority)
Christopher L. Rogan (Bar No. 30344)

Attorneys for Bala Jain, LLC

CERTIFICATION PURSUANT TO LOCAL RULE 9022-1(C)

I HEREBY CERTIFY that this Order has been endorsed by all necessary parties.

/s/ Dylan G. Trache
Dylan G. Trache

LIST OF PARTIES TO RECEIVE NOTICE OF ENTRY
PURSUANT TO LOCAL RULE 9022-1

Dylan G. Trache
NELSON MULLINS RILEY & SCARBOROUGH LLP
101 Constitution Avenue, NW, Suite 900
Washington, DC 20001

Michael Freeman
OFFICE OF THE UNITED STATES TRUSTEE
1725 Duke Street, Suite 650
Alexandria, Virginia 22314

Stephen Karbelk
Team Leader, RealMarkets
Century 21 New Millennium
Century 21 Commercial New Millennium
6629 Old Dominion Drive
McLean, VA 22101

Lisa Bittle Tancredi
WOMBLE BOND DICKINSON (US) LLP
100 Light Street, 26th Floor
Baltimore, MD 21202

Justin Fasano
MCNAMEE, HOSEA, P.A
6404 Ivy Lane, Suite 820
Greenbelt, MD 20770

Christopher Rogan
ROGAN MILLER ZIMMERMAN, PLLC
50 Catocin Circle, NE, Suite 300
Leesburg, Virginia 20176

Exhibit A

1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> RHS	3. <input type="checkbox"/> Conv. Unins.	4. <input type="checkbox"/> 2024-050704(A)	5. <input type="checkbox"/> 2024-050704(A)	6. <input type="checkbox"/> 2024-050704(A)	7. <input type="checkbox"/> 2024-050704(A)	8. <input type="checkbox"/> 2024-050704(A)
Case 23-10566-KHK Doc 540 Filed 07/15/24 Entered 07/15/24 13:30:25 Desc Main Document Page 8 of 13							
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.							
D. Name & Address of Borrower: BEKK Holdings LLC 301 Maple Avenue West Suite 515 Vienna, VA 22180				E. Name & Address of Seller: H. Jason Gold, Chapter 7 Bankruptcy Trustee of The Bankruptcy Estate of Eagle Properties and Investments LLC, Case No. 23-10566-KHK P.O. Box 57359 Washington, DC 20037		F. Name & Address of Lender:	
G. Property Location: 2565 Chain Bridge Road Unit 2F Vienna, VA 22181				H. Settlement Agent: RL Title and Escrow, Inc. Place of Settlement: 8229 Boone Boulevard Suite 610 Vienna, VA 22182		I. Settlement Date: 07/25/2024 Funding Date: 07/25/2024 Disbursement Date: 07/25/2024	

J. Summary of Borrower's Transaction	K. Summary of Seller's Transaction																																																																																																																																																																				
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Less amounts paid by/for borrower (line 220)</td><td>\$20,877.47</td></tr><tr><td>303. Cash <input checked="" type="checkbox"/> From <input type="checkbox"/> To Borrower</td><td>\$430,702.27</td></tr></table>	100. Gross Amount Due from Borrower		101. Contract sales price	\$446,497.44	102. Personal property		103. Settlement charges to borrower (line 1400)	\$4,975.30	104.		105.		Adjustment for items paid by seller in advance		106. City/Town Taxes		107. County Taxes		108. Assessments		109. Condo Dues 07/25/2024 to 07/31/2024	\$107.00	110.		111.		112.		120. Gross Amount Due from Borrower	\$451,579.74	200. Amount Paid by or in Behalf of Borrower		201. Deposit	\$20,000.00	202. Principal amount of new loan(s)		203. Existing loan(s) taken subject to		204.		205.		206.		207.		208. Seller Closing Cost Credit to Buyer	\$500.00	209.		Adjustments for items unpaid by seller		210. City/Town Taxes		211. County Taxes 07/01/2024 to 07/25/2024	\$377.47	212. 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The Public Reporting Burden for this collection of information is estimated at 35 minutes per response for collecting, reviewing, and reporting the data. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. No confidentiality is assured; this disclosure is mandatory. This is designed to provide the parties to a RESPA covered transaction with information during the settlement process.

704.		
800. Items Payable in Connection with Loan		
801. Our origination charge	(from GFE #1)	
802. Your credit or charge (points) for the specific interest rate chosen	(from GFE #2)	
803. Your adjusted origination charges	(from GFE #A)	
804. Appraisal fee	(from GFE #3)	
805. Credit report	(from GFE #3)	
806. Tax service	(from GFE #3)	
807. Flood certification	(from GFE #3)	
808.		
809.		
810.		
811.		
900. Items Required by Lender to be Paid in Advance		
901. Daily interest charges from 07/25/2024 to 08/01/2024	(from GFE #10)	
902. Mortgage insurance premium	(from GFE #3)	
903. Homeowner's insurance	(from GFE #11)	
904.		
1000. Reserves Deposited with Lender		
1001. Initial deposit for your escrow account	(from GFE #9)	
1002. Homeowner's insurance		
1003. Mortgage insurance		
1004. Property taxes		
1005.		
1006.		
1007. Aggregate Adjustment \$0.00		
1100. Title Charges		
1101. Title services and lender's title insurance	(from GFE #4)	
1102. Settlement or closing fee to RL Title and Escrow, Inc.		
1103. Owner's title insurance to Fidelity National Title Insurance Company	(from GFE #5)	\$1,793.30
1104. Lender's title insurance to Fidelity National Title Insurance Company		
1105. Lender's title policy limit \$		
1106. Owner's title policy limit \$446,497.44		
1107. Agent's portion of the total title insurance premium to RL Title and Escrow, Inc. \$0.00		
1108. Underwriter's portion of the total title insurance premium to Fidelity National Title Insurance Company \$0.00		
1109. Settlement and Closing Fee to RL Title and Escrow, Inc.		\$500.00
1110. Title Binder and Policy to RL Title and Escrow, Inc.		\$225.00
1111. Title Search to Round Table Title, Inc.		\$80.00
1112. Attorney Title Examination Fee to RL Title and Escrow, Inc.		\$150.00
1200. Government Recording and Transfer Charges		
1201. Government recording charges	(from GFE #7)	\$47.00
1202. Deed \$47.00 Mortgage \$ Release \$ to Fairfax County Recording Office		
1203. Transfer taxes	(from GFE #8)	\$1,495.00
1204. City/County tax/stamps Deed \$373.75 Mortgage \$ to Fairfax County Recording Office		
1205. State tax/stamps Deed \$1,121.25 Mortgage \$ to Fairfax County Recording Office		
1206. Regional WMTA Fee (Deed) to Fairfax County Recording Office		\$448.50
1207. Regional Congestion Relief Fee (Deed) to Fairfax County Recording Office		\$448.50
1208. County Grantor Tax (Deed) to Fairfax County Recording Office		\$224.25
1209. State Grantor Tax (Deed) to Fairfax County Recording Office		\$224.25
1300. Additional Settlement Charges		
1301. Required services that you can shop for	(from GFE #6)	
1302. 1st half 2024 RE Taxes to Fairfax County Department of Tax Administration		\$3,308.85
1303. Bankruptcy Estate Payment (5%) to H. Jason Gold, Trustee		\$22,324.88
1304. 326(a) Trustee Commission (3%) to H. Jason Gold, Trustee		\$13,394.92
1305. Delinquent Condo Dues 2565 (F) Chain Bridge Rd. to Vienna Oaks Office Center Condominium		\$14,213.00
1306. 2023 Delinquent Real Estate Taxes 2565 (F) Chain Bridge Rd. to Fairfax County Department of Tax Administration		\$8,736.86
1307. Condo Transfer Fee 2565 (F) Chain Bridge Rd. to Trimark Corporation	\$150.00	
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1309. August Condo Dues 2565 (F) Chain Bridge Rd. to Vienna Oaks Office Center Condominium	\$535.00	
1310. Condo Resale Package to Trimark Corporation		\$62.50
1311. 2021-2022 Delinquent Real Estate Taxes 2565 (F) Chain Bridge Rd. to Fairfax County Department of Tax Administration		\$14,900.39
1312. July Condo Dues Unit 2565 (F) to Vienna Oaks Office Center Condominium		\$595.00
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)	\$4,975.30	\$106,321.74

See signature addendum

The HUD-1 settlement statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement

Settlement Agent

Date

1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> RHS	3. <input type="checkbox"/> Conv. Unins.	4. <input type="checkbox"/> Case 23-10566-KHK	5. <input type="checkbox"/> VA	6. File No. 2024-050704(B)	7. Loan No.	8. Mortgage Insurance Case No.
Doc 540 Filed 07/15/24 Entered 07/15/24 13:30:25 Desc Main Document Page 11 of 13							
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.							
D. Name & Address of Borrower: Pure Wellness Lifestyle, LLC 301 Maple Avenue West Suite 515 Vienna, VA 22180				E. Name & Address of Seller: H. Jason Gold, Chapter 7 Bankruptcy Trustee of The Bankruptcy Estate of Eagle Properties and Investments LLC, Case No. 23-10566-KHK P.O. Box 57359 Washington, DC 20037			F. Name & Address of Lender:
G. Property Location: 2567 Chain Bridge Road Unit 2E Vienna, VA 22181				H. Settlement Agent: RL Title and Escrow, Inc. Place of Settlement: 8229 Boone Boulevard Suite 610 Vienna, VA 22182			I. Settlement Date: 07/25/2024 Funding Date: 07/25/2024 Disbursement Date: 07/25/2024

J. Summary of Borrower's Transaction	K. Summary of Seller's Transaction																																																																																																																																																																				
<table><tr><th colspan="2">100. Gross Amount Due from Borrower</th></tr><tr><td>101. Contract sales price</td><td>\$383,502.56</td></tr><tr><td>102. Personal property</td><td></td></tr><tr><td>103. Settlement charges to borrower (line 1400)</td><td>\$4,729.60</td></tr><tr><td>104.</td><td></td></tr><tr><td>105.</td><td></td></tr><tr><td>Adjustment for items paid by seller in advance</td><td></td></tr><tr><td>106. City/Town Taxes</td><td></td></tr><tr><td>107. County Taxes</td><td></td></tr><tr><td>108. Assessments</td><td></td></tr><tr><td>109. Condo Dues 07/25/2024 to 07/31/2024</td><td>\$107.00</td></tr><tr><td>110.</td><td></td></tr><tr><td>111.</td><td></td></tr><tr><td>112.</td><td></td></tr><tr><td>120. Gross Amount Due from Borrower</td><td>\$388,339.16</td></tr><tr><th colspan="2">200. Amount Paid by or in Behalf of Borrower</th></tr><tr><td>201. Deposit</td><td>\$20,000.00</td></tr><tr><td>202. Principal amount of new loan(s)</td><td></td></tr><tr><td>203. 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Less amounts paid by/for borrower (line 220)</td><td>\$20,877.47</td></tr><tr><td>303. Cash <input checked="" type="checkbox"/> From <input type="checkbox"/> To Borrower</td><td>\$367,461.69</td></tr></table>	100. Gross Amount Due from Borrower		101. Contract sales price	\$383,502.56	102. Personal property		103. Settlement charges to borrower (line 1400)	\$4,729.60	104.		105.		Adjustment for items paid by seller in advance		106. City/Town Taxes		107. County Taxes		108. Assessments		109. Condo Dues 07/25/2024 to 07/31/2024	\$107.00	110.		111.		112.		120. Gross Amount Due from Borrower	\$388,339.16	200. Amount Paid by or in Behalf of Borrower		201. Deposit	\$20,000.00	202. Principal amount of new loan(s)		203. Existing loan(s) taken subject to		204.		205.		206.		207.		208. Seller Closing Cost Credit to Buyer	\$500.00	209.		Adjustments for items unpaid by seller		210. City/Town Taxes		211. County Taxes 07/01/2024 to 07/25/2024	\$377.47	212. Assessments		213.		214.		215.		216.		217.		218.		219.		220. Total Paid by/for Borrower	\$20,877.47	300. Cash at Settlement from/to Borrower		301. Gross amount due from borrower (line 120)	\$388,339.16	302. Less amounts paid by/for borrower (line 220)	\$20,877.47	303. Cash <input checked="" type="checkbox"/> From <input type="checkbox"/> To Borrower	\$367,461.69	<table><tr><th colspan="2">400. Gross Amount Due to Seller</th></tr><tr><td>401. Contract sales price</td><td>\$383,502.56</td></tr><tr><td>402. Personal property</td><td></td></tr><tr><td>403.</td><td></td></tr><tr><td>404.</td><td></td></tr><tr><td>405.</td><td></td></tr><tr><td>Adjustment for items paid by seller in advance</td><td></td></tr><tr><td>406. City/Town Taxes</td><td></td></tr><tr><td>407. County Taxes</td><td></td></tr><tr><td>408. Assessments</td><td></td></tr><tr><td>409. 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Gross Amount Due to Seller	\$383,609.56	500. Reductions in Amount Due to Seller		501. Excess deposit (see instructions)		502. Settlement charges to seller (line 1400)	\$97,502.68	503. Existing loan(s) taken subject to		504. Payoff to LinkBank	\$285,229.41	505. Payoff of Second Mortgage		506.		507.		508. Seller Closing Cost Credit to Buyer	\$500.00	509.		Adjustments for items unpaid by seller		510. City/Town Taxes		511. County Taxes 07/01/2024 to 07/25/2024	\$377.47	512. Assessments		513.		514.		515.		516.		517.		518.		519.		520. Total Reduction Amount Due Seller	\$383,609.56	600. Cash at Settlement to/from Seller		601. Gross amount due to seller (line 420)	\$383,609.56	602. Less reductions in amounts due seller (line 520)	\$383,609.56	603. Cash <input checked="" type="checkbox"/> To <input type="checkbox"/> From Seller	
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The Public Reporting Burden for this collection of information is estimated at 35 minutes per response for collecting, reviewing, and reporting the data. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. No confidentiality is assured; this disclosure is mandatory. This is designed to provide the parties to a RESPA covered transaction with information during the settlement process.

704.			
800. Items Payable in Connection with Loan			
801. Our origination charge	(from GFE #1)		
802. Your credit or charge (points) for the specific interest rate chosen	(from GFE #2)		
803. Your adjusted origination charges	(from GFE #A)		
804. Appraisal fee	(from GFE #3)		
805. Credit report	(from GFE #3)		
806. Tax service	(from GFE #3)		
807. Flood certification	(from GFE #3)		
808.			
809.			
810.			
811.			
900. Items Required by Lender to be Paid in Advance			
901. Daily interest charges from 07/25/2024 to 08/01/2024	(from GFE #10)		
902. Mortgage insurance premium	(from GFE #3)		
903. Homeowner's insurance	(from GFE #11)		
904.			
1000. Reserves Deposited with Lender			
1001. Initial deposit for your escrow account	(from GFE #9)		
1002. Homeowner's insurance			
1003. Mortgage insurance			
1004. Property taxes			
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1007. Aggregate Adjustment \$0.00			
1100. Title Charges			
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1306. 2023 Delinquent Real Estate Taxes 2567 (E) Chain Bridge Rd. to Fairfax County Department of Tax Administration			\$8,736.86
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1311. 2021-2022 Delinquent Real Estate Taxes 2567 (E) Chain Bridge Rd. to Fairfax County Department of Tax Administration			\$14,900.62
1312. July Condo Dues Unit 2567 (E) to Vienna Oaks Office Center Condominium			\$595.00
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)		\$4,729.60	\$97,502.68

See signature addendum

The HUD-1 settlement statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement

Settlement Agent

Date